

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Richard James Stuke,

Civil No. 08-5364 (RHK/JJG)

Plaintiff,

ORDER

v.

State of Minnesota, County of Ramsey,
City of St. Paul, John Doe's, defendants
named as building owners everywhere,

Defendants.

The above-entitled matter came before the Court upon the October 8, 2008, Report and Recommendation of United States Magistrate Judge Jeanne J. Graham. The Report and Recommendation has been reviewed de novo, as has the several filings by Plaintiff (Doc. Nos. 4, 6, 7, and 8).

Based upon the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 3) is **ADOPTED**;
2. Plaintiff's Applications to Proceed Without Prepayment of Fees (Doc. Nos. 2 and 5) are **DENIED**; and
3. The Complaint (Doc. No. 1) is summarily **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

Dated: October 29, 2008

s/Richard H. Kyle _____
RICHARD H. KYLE
United States District Judge